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REMARKS

Initially, Applicant appreciates the Examiner's replacement of the final Office Action mailed 1/10/07 with this final Office Action mailed 4/11/07. Applicant appreciates the Examiner's consideration of claims 22 and 23 which Applicant added in the Amendment filed on 10/20/06, and Applicant regrets its oversight in not specifically calling the Examiner's attention to claims 22 and 23 that were newly added in that Amendment filed on 10/20/06.

In paragraphs 1 and 2 of the Office Action claims 1, 9 are rejected under 35 U.S.C. 102(e) as being anticipated by Kasiraj et al (US 6,493,183), stating:

“(As per claims 1, 9) Kasiraj et al discloses a magnetic head, as shown mainly in FIGs. 2A-2B, including: a first magnetic pole P1/S2 having a portion thereof that is exposed at an air bearing surface (ABS) of the magnetic head; a second magnetic pole P2 including a pole tip thereof that is exposed at the ABS; a heating element 20 being disposed between the first magnetic pole and the pole tip; an induction coil layer "C" that is disposed between the first magnetic pole P1/S2 and the second magnetic pole P2, as shown in the noted figures (also refer to col. 4, line 35 to col. 5, line 13); wherein the heating element 20 is disposed between the induction coil "C" and the pole tip, such that the heating element 20 is not exposed outside these boundaries. It is noted that with respect to claim 9, the magnetic media 10 (Fig. 1 B) is known to have the capability to have magnetic bits written thereto as is known in the art. As to the head being a perpendicular type, Kasiraj et al is considered to encompass this type as well (see col. 4, lines 40-46)”

Responsive hereto, Applicant has amended independent claims 1 and 9 to include limitations previously set forth in claims 22 and 23 respectively, and claims 22 and 23 are cancelled herein.

Regarding the allowability of amended independent claims 1 and 9, Applicant notes that dependent claims 22 and 23 have been indicated in paragraph 5 of the Office Action to contain allowable subject matter. Therefore, Applicant has amended independent claim 1 to include these limitations previously set forth in dependent claim 22, and Applicant has amended independent claim 9 to include the limitations previously set forth in dependent claim 23.

Applicant therefore respectfully submits that amended independent claims 1 and 9 are now allowable in that they contain the limitations previously set forth in objected to dependent claims 22 and 23 respectively.

In paragraphs 3 and 4 of the Office Action claims 3, 5, 11 & 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kasiraj et al in view of the applicant's admitted prior art (AAPA), i.e., FIGs. 2 & 3, stating:

“For a description of Kasiraj et al, see the rejection, supra. With respect to claims 3 & 11, Kasiraj et al is silent as to the second magnetic pole including a shaping layer that is disposed in magnetic flux communication with the first magnetic pole, and a probe layer which includes the pole tip, wherein the probe layer is disposed in magnetic flux communication with the shaping layer. However, as shown in FIG. 2 of the AAPA (also refer to pages 5-7 of the instant application), the second magnetic layer includes a probe layer 68 with a pole tip 70.

From this teaching, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the single magnetic layer of the second pole to have included two layers, i.e., a shaping layer and a probe layer, as taught by the AAPA.

The motivation would have been: configuring the one layered magnetic pole to have two layers, as discussed above, would have produced a magnetic head with favorable magnetic characteristics, and a high recording density, as would have been readily realized by a skilled artisan.”

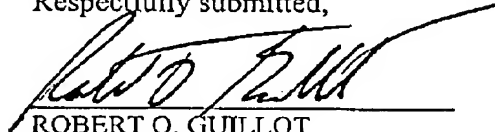
Responsive hereto Applicant asserts that dependent claims 3, 5, 11 and 13 are allowable in that they depend either directly or indirectly from an allowable base claim.

In paragraph 5 of the Office Action it is indicated that dependent claims 22 and 23 are objected to as being dependent upon a rejected base claim (independent claims 1 and 9 respectively) but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Responsive hereto, Applicant appreciates the indication of allowable subject matter in independent claims 22 and 23. As indicated above, Applicant has placed the limitations of dependent claims 22 and 23 into independent claim 1 (from which it previously depended), and Applicant placed the limitations of dependent claim 23 into independent claim 9 (from which it previously depended). Applicant has thereafter cancelled dependent claims 22 and 23. Thus, as indicated hereabove, Applicant urges that amended independent claims 1 and 9 are now in condition for allowance.

Having responded to all of the paragraphs of the Office Action, and having amended the claims accordingly, Applicant respectfully submits that the Application is now in condition for allowance. Applicant therefore respectfully requests that a Notice of Allowance be forthcoming at the Examiner's earliest opportunity. Should the Examiner have any questions or comments

with regard to this amendment, a telephonic conference at the number set forth below is respectfully requested.

Respectfully submitted,



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(Signature of Patricia Beilmann)